

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE MARTHA,
Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION,
Defendant.

Case No. [23-cv-00420-AGT](#)


ORDER RE: MOTION TO DISMISS

Re: Dkt. No. 16

Plaintiff George Martha filed this action pro se to challenge the Social Security Administration's termination of his SSI benefits and denial of his subsequent SSI applications. The defendant has moved to dismiss the complaint under Rule 12(b)(6) on the grounds that it was untimely filed and Martha has not exhausted administrative remedies. Dkt. 16. Matters outside the pleadings were presented with the motion to dismiss. This information will be considered, so the Court will convert the defendant's motion into a motion for summary judgment. *See* Fed. R. Civ. P. 12(d). The current record appears developed enough to allow the Court to rule on the motion. But if the parties would like to supplement the factual record, they may do so on or before December 18, 2023. The Court will then rule on the motion unless it determines that supplemental briefing or argument is needed.

IT IS SO ORDERED.

Dated: November 16, 2023


ALEX G. TSE
United States Magistrate Judge